

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION

FRANCIS P. JONES,

Plaintiff

VS.

TOMLYN T. PRIMUS, *et al.*,

Defendants

NO. 5:06-CV-168 (CAR)

**PROCEEDINGS UNDER 42 U.S.C. § 1983
BEFORE THE U.S. MAGISTRATE JUDGE**

RECOMMENDATION

On October 31, 2007, the undersigned issued an order which directed plaintiff FRANCIS P. JONES to SHOW CAUSE as to why his case should not be dismissed for failure to prosecute this action. Tab #18. Jones was cautioned that his failure to respond would result in a recommendation of dismissal. On November 8, 2007, that order was returned to the clerk as undeliverable. Tab #19.¹

Accordingly, IT IS RECOMMENDED that the instant action be DISMISSED *with prejudice*. Pursuant to 28 U.S.C. §636(b)(1), the parties may serve and file written objections to this RECOMMENDATION with the district judge to whom this case is assigned **WITHIN TEN (10) DAYS** after being served with a copy thereof.

The Clerk is directed to serve the plaintiff with a copy of this order by mailing it to him at the **LAST ADDRESS** provided by him.

SO ORDERED, this 4th day of DECEMBER, 2007.



A handwritten signature in blue ink, reading "Claude W. Hicks, Jr.".

CLAUDE W. HICKS, JR.
UNITED STATES MAGISTRATE JUDGE

¹Mail has been returned as undeliverable on at least two other occasions.